

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES EUGENE BAKER,

Petitioner,

v.

STEPHEN SINCLAIR,

Respondent.

No. C09-5505 RJB/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed the petition for writ of habeas corpus, the response, the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court **ADOPTS** the Report and Recommendation (Dkt. 24).
- (2) Petitioner's writ of habeas corpus (Dkt. 5) is **DENIED** and this action is **DISMISSED WITHOUT PREJUDICE**.
- (3) Petitioner is **DENIED** a Certificate of Appealability.
- (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent and to the Hon. Karen L. Strombom.

DATED this 26th day of July, 2010.



ROBERT J. BRYAN  
United States District Judge